IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO.2937 OF 2005

IN

SUIT NO.1355 OF 1982

...

Manish Morarji Palan ...Plaintiff

v/s.

Gordhandas Ramji Palan ...Defendant

...

Ms.Vijaya Mistry for the Plaintiff.

Mr.N.S.Jain i/b S.K.Jain for the Defendant No.2.

...

CORAM: D.K.DESHMUKH, J.

DATED: 23RD DECEMBER,2005

P.C.:

Though the reasons given in the affidavit filed in

support of the Notice of Motion for remaining absent on 29-8-2005 cannot be described as sufficient cause, in view of the willingness of the Plaintiff to pay substantial costs to the Defendant No.2, who is contesting the Notice of Motion, in my opinion, it would be in the interest of justice to grant this notice of motion in terms of prayer clauses (a) & (b) subject to the conditions that without three weeks from today the Plaintiff pays to the Defendant No.2, as and by way of costs of this motion Rs.10,000/-. Motion disposed of.

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